

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER A. CRAWFORD,

Plaintiff,

v.

WOLVERINE, PROCTOR & SCHWARTZ, INC.,
STEVEN F. CHILINSKI, and
DEEPAK S. KULKARNI,

Defendants.

Civil Action No.
05-cv-10078 (DPW)

AMENDED ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIM

Defendants Wolverine, Proctor & Schwartz, Inc. ("Wolverine") Steven F. Chilinski and Deepak S. Kulkarni, by and through their attorneys, Morgan, Brown & Joy, LLP, hereby submit the following Amended Answer in response to the Amended Complaint filed by plaintiff *pro se* Peter A. Crawford on or about March 14, 2006.

Based on affirmative representations from the plaintiff that paragraphs 1 through 73 of his Amended Complaint are identical to paragraphs 1 through 73 of plaintiff's original Complaint, defendants repeat, re-allege and incorporate their already asserted answers to paragraphs 1 through 73 of plaintiff's Amended Complaint. Defendants also reassert, re-allege and incorporate the affirmative defenses and counterclaims previously asserted in defendants' original Answer.

AS AND FOR AN EIGHTH CAUSE OF ACTION
(Fraud)

74. Defendants repeat and re-allege their previous asserted answers to paragraphs 1

through 73.

75. Admitted.

76. Denied.

77. The referenced document speaks for itself.

78. The referenced document speaks for itself.

79. Paragraph 79 contains a legal conclusion to which no responsive answer is required – the paragraph is otherwise denied.

80. Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 80, and therefore deny the same.

81. Denied.

82. Denied.

83. Denied.

84. Paragraph 84 contains a legal conclusion to which no responsive answer is required – the paragraph is otherwise denied.

85. Denied.

86. Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 86, and therefore deny the same.

87. The referenced document speaks for itself.

88. Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 88, and therefore deny the same.

89. Denied.

90. Paragraph 90 contains a legal conclusion to which no responsive answer is required – the paragraph is otherwise denied.

91. Denied.

92. Defendants deny knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 92, and therefore deny the same.

93. Paragraph 93 contains a legal conclusion to which no responsive answer is required.

94. Denied.

95. Paragraph 95 contains a legal conclusion to which no responsive answer is required.

AS AND FOR AN NINTH CAUSE OF ACTION
(Accounting)

96. Defendants repeat and re-allege their previous asserted answers to paragraphs 1 through 95.

97. Denied.

98. Paragraph 98 contains a legal conclusion to which no responsive answer is required.

99. Paragraph 99 contains a legal conclusion to which no responsive answer is required.

100. Paragraph 100 contains a legal conclusion to which no responsive answer is required.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiff has failed to plead fraud with the requisite level of particularity under Rule 9.

THIRTEENTH AFFIRMATIVE DEFENSE

Plaintiff's Amended Complaint fails to state a viable claim upon which relief may be granted.

WHEREFORE, defendants respectfully pray for judgment dismissing the Complaint and awarding it costs and disbursements in this action.

Dated: April 7, 2006

Respectfully submitted,

WOLVERINE, PROCTOR & SCHWARTZ, INC.,
STEVEN F. CHILINSKI, and
DEEPAK S. KULKARNI

By their attorneys,

/s/ Jeffrey D. Kuhn
Mark Whitney (BBO #637054)
Jeffrey D. Kuhn (BBO #662326)
MORGAN, BROWN & JOY, LLP
200 State Street
Boston, Massachusetts 02109
(617) 523-6666

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 7, 2006, I filed the foregoing document with the Clerk of the Court by using the ECF system. I further certify that I mailed the foregoing document and the notice of electronic filing to the pro se plaintiff, Peter A. Crawford, 23 Newcastle Drive, #11, Nashua, NH 03060, by U.S. mail, on April 7, 2006.

/s/ Jeffrey D. Kuhn
Jeffrey D. Kuhn